

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**SB 2270 – HB 2274**

February 19, 2014

**SUMMARY OF ORIGINAL BILL:** Authorizes former county clerks who occupied office on or after July 1, 2014 to perform marriages.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENTS (012818, 012820):** Amendment 012818 adds a new section to the original bill authorizing former members of the General Assembly to perform marriages. Amendment 012820 deletes and rewrites Section 1 of the original bill to require any former county clerks performing marriages to maintain the bond required pursuant to Tenn. Code Ann. §18-2-201.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:**

**Increase Local Expenditures – Exceeds \$5,000\***

Assumptions for the bill as amended:

- Authorizing former members of the General Assembly to perform marriages will not result in any significant fiscal impact to state or local government.
- Under current law, no former official authorized to perform marriages is required to be bonded.
- Pursuant to Tenn. Code Ann. § 18-2-201, every clerk shall enter into an official bond, which shall be prepared in accordance with Tenn. Code Ann. Title 8, Chapter 19.
- Pursuant to Tenn. Code Ann. § 8-19-106, the respective counties shall pay the premiums for such bond and the registration fees.
- According to the County Technical Assistance Service, the average cost for a bond for a county official ranges from \$500 to \$1,000.

- The provisions of the bill as amended require former county clerks to be bonded pursuant to Tenn. Code Ann. § 18-2-201 to perform marriages; which subsequently requires the respective county to pay the cost for the bond.
- At least ten former county clerks will desire to perform marriages under the provisions of this bill as amended, therefore there will be a mandatory increase to local government expenditures exceeding \$5,000 (10 x \$500).

*\*Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

### **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

/jrh